

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

CHARLES DAVID EARWOOD

PLAINTIFF

V.

3:12-cv-00067-SWW

LUTHER WHITFIELD, et al.

DEFENDANTS

JUDGMENT

Pursuant to the Memorandum and Order entered in this matter on this date, it is Considered, Ordered and Adjudged that this case be, and it is hereby, DISMISSED with prejudice, for failure to state a claim upon which relief may be granted.¹ The relief sought is denied.

Dismissal of this action constitutes a “strike” within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g).

The Court certifies that an in forma pauperis appeal from a Memorandum and Order and Judgment dismissing this action would not be taken in good faith, pursuant to 28 U.S.C. § 1915(a)(3).

IT IS SO ADJUDGED this 2nd day of April 2012.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE

¹Plaintiff’s allegations of constitutional violations during the state criminal proceeding are DISMISSED without prejudice.